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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/592,913	11/13/2006	Wendelin Jan Stark	0796-7679-4/DSD	5717
7590 Donald S Dowden Cooper & Dunham 1185 Avenue of the Americas New York, NY 10036			EXAMINER AHVAZI, BILAN	
			ART UNIT 1796	PAPER NUMBER
			MAIL DATE 05/07/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **ADVISORY ACTION**

1. This action is responsive to the amendment filed on April 19, 2010.
2. Claims 1-3, 5-24 are pending. Claim 4 is previously canceled. Claims 25-32 are previously withdrawn from further consideration.
3. Claims 1-3, 5-24 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. (US 10/557,339), in view of Fujii *et al.* (Pat. No. US 4,659,617).

### ***Response to Arguments***

4. Claims 1-3, 5-24 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. (US 10/557,339), in view of Fujii *et al.* (Pat. No. US 4,659,617). However, upon the approval of terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d), the notice of allowance will be mailed.

### ***Examiner Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijan Ahvazi, Ph.D. whose telephone number is (571)270-3449. The examiner can normally be reached on M-F 8:0-5:0. (Off every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from

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either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BA/  
Bijan Ahvazi,  
Examiner  
Art Unit 1796

/Harold Y Pyon/  
Supervisory Patent Examiner, Art Unit 1796

05/02/2010